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**VIA EMAIL**

November 17, 2005

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Re: *In re Terrorist Attacks on Sept. 11, 2001*, MDL 1570  
*EuroBrokers v. Al Baraka Invest. & Devel. Corp.*, 04-CV-7279  
*WTCP LLC v. Al Baraka Invest. & Devel. Corp.*, 04-CV-7280.

Gentlemen:

I write in response to your letter dated November 7, 2005 concerning service of process on Salman bin Abdulaziz Al-Saud, Naif bin Abdulaziz Al-Saud, and the Saudi High Commission ("SHC") ("Defendants"). As I acknowledged in my voicemail to Casey Cooper referenced in your letter, it appears that we did not formally serve these Defendants in the *EuroBrokers* or *WTCP* cases prior to October 15, 2004 or within 120 days of when they were named in those complaints. Nonetheless, these defendants were represented by counsel – indeed, by your law firms -- in the MDL proceedings months before the *EuroBrokers* or *WTCP* complaints were filed. We had, until recently, believed that we had in fact served these defendants through your respective firms. But, as you are certainly aware, the complaints in these cases have been available online since mid-September, 2004 and no reasonable claim could be made that Defendants or their counsel, who were actively defending other actions in the same MDL proceedings, were unaware of them. Moreover, upon learning that you had not been served with these complaints, we promptly sent them to you.

Under these circumstances, we do not believe that dismissal on the technical basis of lack of

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November 17, 2005

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service is warranted. Rather, we believe that the claims against these Defendants should be resolved on their merits in the *EuroBrokers* and *WTCP* cases no less than in the other cases in this MDL. Nor do we believe it is an appropriate use of anybody's resources – plaintiff's, Defendants' counsel, who have been aware of these cases for over a year, or the Court's – to fight over technical matters. We propose instead that the parties work out a briefing schedule for your responses to these Complaints. Obviously, we would be amenable to any reasonable proposal you make on this subject. I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. Bierstein', with a long horizontal flourish extending to the right.

Andrea Bierstein

cc: Jodi Westbrook Flowers, Esq.  
Frank J. Rubino, Esq.